IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

OP.No. 3767 of 2003(W)
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PETITIONER:
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V.K.RAGHAVAN, AGED 60 YEARS,
S/O. KANDANKALI, CHENNANATTUVELIYIL HOUSE,
MANNANCHERI, ALAPPUZHA.

BY ADV. SRI.T.A.UNNIKRISHNAN

RESPONDENTS:
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1. THE DEPUTY TAHSILDAR (AMBALAPUZHA TALUK)

2. THE INSPECTOR,
TODDY WORKERS WELFARE FUND, ALAPPUZHA DISTRICT.

BY ADV. SRI.K.K. BABU, SC for R2.
SMT. K.R. DEEPA, GOVERNMENT PLEADER for R1

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO. 6667/2003 IN O.P. NO. 3767/2003

DISMISSED

29.06.2007 SD/- KURIAN JOSEPH, JUDGE.

**APPENDIX**

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE DEMAND NOTICE DATED 13.12.2002 ISSUED BY THE 1ST RESPONDENT.

EXT.P2: TRUE COPY OF THE NOTICE ISSUED TO THE PETITIONER DATED 18.10.2001.

EXT.P3: TRUE COPY OF THE PAGE NO. 1 OF THE LICENCE NO. 199/99-2000 IN THE NAME OF N. MOHANDAS.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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O.P. NO. 3767 OF 2003

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Dated this the 29th day of June, 2007.

**JUDGMENT**

The original petition is filed aggrieved by the recovery proceedings initiated against the petitioner for recovery of amounts due to the Toddy Welfare Fund. According to the petitioner he has never been an employer of the toddy shop. In the counter affidavit filed on behalf of the 2nd respondent it is stated that the petitioner was the employer of the toddy shop Nos 7 to 9 of Alappuzha range for the period 1999-2000 and for toddy shop Nos. 18 to 20 of Alappuzha range for the period 1997-1998. He remitted the contributions for 1997-1998 without any objection. He did not raise any objection in the pre-assessment stage. It is also seen from the counter affidavit that the petitioner had been remitting the dues as permitted by the government in instalments. It is also seen from the counter affidavit that there was duplication with regard to the revenue recovery and that was duly enquired by the Tahsildar. In view of the intervening developments as above, in the case the petitioner has still any grievance left, he may approach the government.

The original petition is disposed of accordingly.

**KURIAN JOSEPH, JUDGE.**

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